

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:13-cv-186-RJC**

BRANDON WILLIAMS,

Plaintiff,

v.

OFFICER MT RETORT,

Charlotte Mecklenburg

Police Dept. ("CMPD");

OFFICER M. DOAN, CMPD;

OFFICER TONSING, CMPD;

OFFICER TOWNSEND, CMPD;

CHARLOTTE MECKLENBURG

POLICE DEPT; BRECKON

DANIEL PAV, M.D.,

Defendants.

ORDER


THIS MATTER is before the Court on consideration of Plaintiff's second motion to reconsider the Court's dismissal of his complaint which challenges his arrest and prosecution on state criminal charges. On June 6, 2013, the Court entered an Order dismissing Plaintiff's complaint, filed pursuant to 42 U.S.C. § 1983, as the state criminal charges were still pending. The findings and conclusions of law in that Order are fully incorporated herein by reference. (3:13-cv-186, Doc. No. 3). On July 1, 2013, Petitioner filed a motion seeking reconsideration of the Court's Order of dismissal and to seek to amend his complaint to add a defendant and a claim for monetary damages. (Doc. No. 5). This motion was denied because the state criminal charges were not resolved. Now Plaintiff has returned to this Court with this second motion to reconsider and admits that these same criminal charges have not been resolved and according to Plaintiff,

and the website of the Administrative Office of the Courts, Plaintiff's next court date is January 14, 2014.

As previously noted, the Court will not intervene through injunctive relief in ongoing state criminal proceedings, nor will the Court entertain a claim for money damages while the state criminal proceedings are ongoing. Accordingly, Plaintiff's motion will be denied.

IT IS, THEREFORE, ORDERED that Plaintiff's motion for reconsideration is **DENIED.** (Doc. No. 7).

Signed: January 10, 2014


Robert J. Conrad, Jr.
United States District Judge

